

## Message Text

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PAGE 01 STATE 073844  
ORIGIN IO-14

INFO OCT-01 EUR-12 ISO-00 L-03 SIG-03 ABF-01 TRSE-00  
OMB-01 AF-10 ARA-10 EA-10 NEA-10 CIAE-00 COME-00  
EB-08 INR-10 LAB-04 NSAE-00 SIL-01 /098 R

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IO:GADALLEY

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R 221821Z MAR 78  
FM SECSTATE WASHDC  
TO USMISSION GENEVA  
INFO USMISSION USUN NEW YORK  
AMEMBASSY PARIS  
AMEMBASSY VIENNA  
AMEMBASSY ROME  
AMEMBASSY LONDON  
AMCONSUL MONTREAL

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LONDON SHIPPING ATTACHE, ICAO, FODAG, NESCO, USIAEA

E.O. 11652:N/A

TAGS: AORG

SUBJECT: UN ADMINISTRATION - GENEVA GENERAL SERVICE  
SALARIES

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REF: (A) GENEVA 3536 (NOTAL), (B) GENEVA 3388 (NOTAL)

1. WE ARE DEEPLY CONCERNED THAT SOLUTION TO EXCESSIVE  
SALARY LEVELS OF UN SYSTEM GENERAL SERVICE STAFF IN GENEVA  
(AS SUPPORTED IN UNGA BY OVERWHELMING ADOPTION OF RESO-  
LUTION 32/200/III) COULD BE JEOPARDIZED BY ADVERSE DE-  
CISION OF ILO ADMINISTRATIVE TRIBUNAL ON IMPLEMENTATION OF

SALARY FREEZE. IN PRECEDENTIAL CASE (JUDGMENT NO. 323 OF NOVEMBER 21, 1977), WE UNDERSTAND ILO ADMINISTRATIVE TRIBUNAL RULED ON A MATTER CONCERNING FAO, THAT (A) PART OF THE SALARY SYSTEM (I.E. THE PROVISION FOR INTERIM ADJUSTMENTS) WHICH WAS EXPRESSED IN STAFF REGULATIONS AND IN PREVIOUS DECISIONS OF THE DIRECTOR-GENERAL WAS CONTRACTUALLY BINDING AND COULD NOT BE MODIFIED UNILATERALLY; AND (B) THAT EVEN THE GOVERNING BODY HAD NO POWER TO MAKE A CHANGE WHICH WOULD AFFECT THE CONTRACTUAL RIGHTS OF STAFF MEMBERS.

2. SHOULD ILO ADMINISTRATIVE TRIBUNAL RULE SIMILARLY ON GENEVA GENERAL SERVICE SALARY ISSUE, OTHER GENEVA-BASED UN AGENCIES MAY BE LED TO RETAIN 1977 SALARY LEVEL WHICH WAS FOUND BY INTERNATIONAL CIVIL SERVICE COMMISSION (ICSC) TO BE ON AVERAGE 17 PERCENT TOO HIGH. SUCH A RESULT WOULD BE EXTREMELY DAMAGING TO IMPRESSION OF FISCAL SOBRIETY OF UN SYSTEM HELD BY PUBLIC IN UNITED STATES AND MEMBER COUNTRIES.

3. IN VIEW OF IMPORTANCE OF THIS ISSUE, GENEVA SHOULD CONTINUE TO KEEP DEPARTMENT AND INFO ADDRESSEES INFORMED OF DEVELOPMENTS.

4. MEANWHILE WE WOULD APPRECIATE FOLLOWING INFORMATION FROM US MISSION GENEVA:  
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- (A) NAMES, NATIONALITIES AND OTHER BACKGROUND INFORMATION ON MEMBERS OF ILO ADMINISTRATIVE TRIBUNAL.
- (B) HISTORICAL BACKGROUND AND TERMS OF REFERENCE OF ILO ADMINISTRATIVE TRIBUNAL.
- (C) ARGUMENTS PRESENTED (AND BY WHOM) TO ILO ADMINISTRATIVE TRIBUNAL ON THE GS SALARY ISSUE.
- (D) WHEN WILL ILO ADMINISTRATIVE TRIBUNAL CONSIDER MATTER? WHEN CAN DECISION BE EXPECTED?
- (E) WHAT GENEVA-BASED AGENCIES BESIDES WHO RELY ON FINDINGS OF ILO ADMINISTRATIVE TRIBUNAL? IF NOT THE ILO TRIBUNAL, WHAT MECHANISM DO THESE AGENCIES USE TO RESOLVE SALARY DISPUTES?
- (F) WHAT CAN INTERGOVERNMENTAL BODIES OR EXECUTIVE HEADS OF AGENCIES DO TO COUNTER FINDINGS OF UNITS LIKE ILO ADMINISTRATIVE TRIBUNAL, TO VOID EXISTING SO-CALLED CONTRACTS, TO CHANGE EXISTING STAFF REGULATIONS BY EXECUTIVE OR LEGISLATIVE ACTION OR OTHERWISE ASSURE APPROPRIATE SALARY LEVELS AS RECOMMENDED BY ICSC AND THE SECRETARY GENERAL? VANCE

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## Message Attributes

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**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** n/a  
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**Disposition Approved on Date:**  
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**Disposition Date:** 20 Mar 2014  
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**Review Event:**  
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**Review Markings:**  
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